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August 6, 2025

BY ECF

Honorable Dale E. Ho.
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *The Estate of Win Rozario et al v. City of New York et al.*, 25 CV 5203 (DEH)

Your Honor:

We represent Plaintiffs Utsho Rozario and Notan Eva Costa ("Eva"), in her individual capacity and as Administrator of the Estate of Win Rozario, in the above referenced matter. We write on behalf of the parties to respectfully and jointly request an adjournment of the Initial Conference from August 12, 2025 to a date after the Answer is filed. *See* Civil Docket Entry No. 10.

On June 23, 2025, Plaintiffs filed a complaint alleging, *inter alia*, that NYPD Officers and the City of New York committed violations of the United States Constitution, the New York State Constitution, and New York state law against Mr. Rozario, his mother Eva, and his brother Utsho. Specifically, Plaintiffs claim that, on March 27, 2024, Win Rozario was shot several times by New York City Police Department ("NYPD") Officers in his family apartment in Ozone Park, Queens, ultimately resulting in his death.

On June 25, 2025, the Court enrolled this matter in the PLAN (formerly Local Rule 83.10). *See* Civil Docket Entry dated June 25, 2025. On June 26, 2025, the Court scheduled an

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Initial Conference for August 12, 2025. *See* Civil Docket Entry No. 10. On July 3, 2025, Plaintiffs filed an affidavit of service stating that defendant City of New York was served with the summons and complaint that same day. *See* Civil Docket Entry No. 11. On July 25, 2025, Plaintiffs produced the required PLAN releases to the City of New York, setting September 23, 2025 as the deadline for defendant City of New York to answer or otherwise respond to the complaint, pursuant to the PLAN. On July 30, 2025, Plaintiffs filed affidavits of service stating that individual defendants Salvatore Alongi and Matthew Cianfrocco were previously served on July 21, 2025 and July 17, 2025, respectively. *See* Civil Docket Entry No. 13, 14.

The instant request is now appropriate so that defendants may investigate plaintiffs' claims and file their answer in advance of the Initial Conference before the Court.

Accordingly, the parties respectfully and jointly request an adjournment of the Initial Conference from August 12, 2025 to a date after September 23, 2025 after the Answer is filed.

Respectfully submitted,

BELDOCK LEVINE & HOFFMAN LLP

/s/ David B. Rankin

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Application **GRANTED**. The initial pretrial conference is **ADJOURNED to October 2, 2025, at 10:00 AM** in Courtroom 905 of the Thurgood Marshall United States Courthouse. The pre-conference letter is due **September 25, 2025**.

SO ORDERED.



Dale E. Ho
United States District Judge

Dated: August 7, 2025
New York, New York

CC: *All Counsel of Record*